IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

Crl.Rev.Pet.No. 572 of 2007

CRA.247/2006 of ADDL.DISTRICT & SESSIONS JUDGE(ADHOC-II) THODUPUZHA

CC.607/2005 of CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA

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REVN. PETITIONER: APPELLANT/ACCUSED

MATHEW GEORGE,
UNITED COPIER SERVICING, IIIRD FLOOR, 18TH BLOCK,
ADAMSTAR COMPLEX, THODUPUZHA.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SRI.LAKSHMI RENJITH
SRI.V.SHYAMOHAN

RESPONDENTS: COMPLAINANT & STATE

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. DR.RAMAYYA,
M.M.HOSPITAL, MUTTOM, INDU BHAVAN,
MUTTOM P.O., THODUPUZHA.

BY PUBLIC PROSECUTOR MR. C.M.CKUMMUPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 08/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.572 of 2007

DATED THIS THE 8TH DAY OF FEBRUARY 2007

ORDER

The revision petitioner, who is the accused in C.C.No.607/2005 in the file of the Chief Judicial Magistrate Court, Thodupuzha, with respect to the offence under Section 138 of the Negotiable Instruments Act, stands convicted and sentenced to undergo simple imprisonment for a period of three months and to pay a fine of Rs.30,000/- and in default to undergo simple imprisonment for one month. If the fine amount is realised, Rs.25,000/- is to be paid to the complainant under Section 357 (1)(b) Cr.P.C. Counsel for the revision petitioner has confined his plea for modification of the sentence.

2. In the circumstances, the same is allowed and the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.25,000/- to the complainant under Section 357(3) Cr.P.C. and in default to undergo simple imprisonment for one month. The petitioner is granted three months time to remit the amount. He shall appear before the

court below on 9-5-2007 to receive sentence. The Crl.R.P.is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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